



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG - 7 2014

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

FEMA FOIA Office
Records Management/Disclosure Branch
Mailstop 3172
500 C Street SW
Washington, D.C. 20472

RE: Referral of Freedom of Information Act Request EPA-HQ-2014-007784

Dear Sir or Madam:

This letter refers to the enclosed Freedom of Information Act (FOIA) Request EPA-HQ-2014-007784 from Mr. Christian Ampuero, regarding a 2007 report to Congress on FEMA underground storage tanks, and the location and status of those tanks. A copy of the e-mail from Mr. Ampuero clarifying his request is also enclosed. While processing this request, we found that the documents in our files responsive to the request were prepared by FEMA. Consequently, this request is being referred to FEMA pursuant to the EPA FOIA regulations, 40 C.F.R. §2.103(d)(2), for your review, release determination, and direct response to Mr. Ampuero. Also enclosed is a copy of our notice to Mr. Ampuero informing him that his request was referred to FEMA.

Mr. Dan Drazan, an attorney in our office, has discussed the FOIA request with Mr. Dan Rollins at FEMA. Mr. Rollins is familiar with the requested FEMA documents and stated it would not be necessary to send our files to FEMA for them to respond to the request.

Should you have any questions regarding this matter, please contact Mr. Dan Drazan at (202) 564-2328, or Mr. Stuart Hunt at (202) 564-2591.

Sincerely,

A handwritten signature in black ink, appearing to read "David Kling", with a large loop at the end.

David Kling, Director
Federal Facilities Enforcement Office

Enclosures

cc: Maya Newman
Dan Rollins, FEMA

Submitted Evaluation Assignment Processing Closed

| | |
|---|--|
| Tracking Number : EPA-HQ-2014-007784 | Submitted Date : 06/24/2014 |
| Requester : Christian Ampuero | Perfected Date : 06/25/2014 |
| Organization : ERS | Last Assigned Date : 07/23/2014 |
| Requester Has Account : Yes | Fee Limit : \$25.00 |
| Email Address : christiana@reccheck.com | Request Track : Simple |
| Phone Number : 714-669-8096 | Due Date : 07/24/2014 |
| Fax Number : 714-669-8025 | Assigned To : Office of Federal Facilities |
| Address : 23282 Mill Creek Dr | Last Assigned By : Maya Newman (Office of |
| Suite 160 | Enforcement and |
| City : Laguna Hills | Compliance Assurance) |
| State/Province : CA | |
| Zip Code/Postal Code : 92653 | |

Submission Details

Request Handling

| | |
|--|------------------------------|
| Requester Info Available to the Public : Yes | Request Perfected : Yes |
| Request Track : Simple | Perfected Date : 06/25/2014 |
| Fee Category : Other | Acknowledgement Sent Date : |
| Fee Waiver Requested : No | Unusual Circumstances ? : No |
| Fee Waiver Status : N/A | 5 Day Notifications : : |
| Expedited Processing Requested : No | Litigation : No |
| Expedited Processing Status : N/A | |

Request Description

| | |
|---|--------------------------------|
| Short Description : | |
| Hi I wanted to request the data that FEMA reported to congress in August 2007 about all the 1,129 defunct tanks that it was overseeing. I wanted to see if I could get a location for all the tanks. If there have been any updates since then, I would like that data as well. Thanks for your help. Christian Ampuero christiana@reccheck.com 714-669-8096 ext 1110 | |
| Description Available to the Public : Yes | Has Description Been Modified? |

Attached Supporting Files

No supporting files have been added.

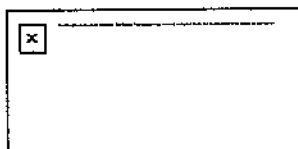
Upload Supporting Files

From: Christian Ampuero [<mailto:christiana@reccheck.com>]
Sent: Tuesday, July 22, 2014 1:02 PM
To: McLendon, Wanda
Subject: RE: Status of Freedom of Information Request EPA-HQ-2014-007784

Hi

Thanks for your help. I was interested primarily on the location of the tanks. Hopefully there is a way to get the latitude and longitude for each tank. I also would like other tank information. I wanted to get the status of the tank and if any remediation or actions are underway for these tanks. If the other information is not possible, location information would suffice. Thanks for all your help.

Christian Ampuero | ERS Database
P: (714) 669-8096 EXT: 1110 | F: (714) 669-8025
Cell: (714) 669-8025
christiana@reccheck.com | www.reccheck.com



From: McLendon, Wanda [<mailto:McLendon.Wanda@epa.gov>]
Sent: Tuesday, July 22, 2014 9:52 AM
To: Christian Ampuero
Subject: Status of Freedom of Information Request EPA-HQ-2014-007784

Dear Mr. Ampuero:

This is in response to your Freedom of Information Request of June 24, 2014, requesting the data that FEMA reported to congress in August 2007 about all the 1,129 defunct tanks that it was overseeing. You also requested a location for all the tanks and any updates since then.

We would like for you to please specify the kind of tank updates you are seeking. For example, are you seeking updated information on just tank location, or other tank information? Are you requesting updates that FEMA may have sent to Congress, or also to EPA?

By this email message, we are seeking to confirm that you remain interested in this information. Please confirm to me at mclendon.wanda@epa.gov and/or Dan Drazan at drazan.dan@epa.gov within 10 days of this email with specification

of your request. If we do not hear from you by that date, we will consider this FOIA request closed and that you're no longer interested in the information.

Wanda Y. McLendon

Management Analyst
U.S. Environmental Protection Agency
Office of Solid Waste and Emergency Response
Organizational Management and Integrity Staff
William J. Clinton EPA West, Room 4139-C
(202) 566-1917; Fax (202) 566-0569



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 06 2014

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Mr. Christian Ampuero
ERS
23282 Mill Creek Drive
Laguna Hills, CA 92653

RE: Freedom of Information Act Request EPA-HQ-2014-007784

Dear Mr. Ampuero:

Your FOIA Request EPA-HQ-2014-007784 relating to the location and status of Federal Emergency Management Agency (FEMA) underground storage tanks and a 2007 report from FEMA to Congress on those tanks is for documents that were created by FEMA. Consequently, your request will be referred to FEMA pursuant to EPA FOIA Regulation, 40 C.F.R. §2.103(d)(2). The FEMA FOIA Office, Records Management/Disclosure Branch will then be responsible for responding to your request.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), E-mail: foia_hq@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the tracking number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Stuart E. Hunt", is positioned above the typed name.

Stuart E. Hunt
Attorney- Advisor